

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:22-CV-61553-DIMITROULEAS/HUNT

CRUZ VALDIVIESO FIGUERA,

Plaintiff,

vs.

ALL VIP CARE INC. AND
LIZ VELAZQUEZ MCKINNON,

Defendants,

_____/

FINAL JUDGMENT FOR ATTORNEY'S FEES AND COSTS

THIS CAUSE came before the Court upon Plaintiff's Verified Motion for *Ex Parte* Final Judgment Following Default In Verified Agreement and Release (the "Motion"). [DE 195.] Accordingly, it is hereby **ORDERED AND ADJUDGED** that the Motion [DE 195] is **GRANTED:**

Defendants filed an Agreed Motion to Disburse Garnished Funds [ECF No. 191], to which they appended the fully executed Verified Agreement and Release as Exhibit B [DE 191-2], resulting in the Court entering an Order Granting Agreed Emergency Motion to Disburse Garnished Funds. In that Order, the Court accepted and approved the parties' Agreement, which constitutes a finding that an enforceable agreement existed. [DE 192.] Plaintiff, through her counsel, attests that Defendants failed to timely deliver the payment due to be received by 4:00 p.m. on October 25, 2024, establishing that Defendants committed a material breach of the Verified Agreement and Release. [DE 191-2.]

Based on the negotiated default provisions of the Verified Agreement and Release, Final Judgment for attorney's fees and costs to FairLaw Firm is entered in favor of Plaintiff, Cruz

Valdivieso Figuera, and against Defendants, All VIP Care Inc. and Liz Velazquez McKinnon, jointly and severally, for **\$151,165.20**, as the contractual amount to which they attested Plaintiff's counsel should be entitled to recover on an *ex parte* basis in the Verified Release Agreement, which includes 149,073.91 for the attorney's fees and costs previously awarded by the Court and \$2,091.29 in interest since September 4, 2024.

The Court further awards entitlement to recover additional reasonable attorney's fees and costs incurred since September 4, 2024, from Defendants, All VIP Care Inc. and Liz Velazquez McKinnon, jointly and severally, in an amount to be determined by the Court based on the Verified Release Agreement.

Lastly, the Court directs Defendants, All VIP Care Inc. and Liz Velazquez McKinnon, to deliver to Plaintiff's counsel the Fact Information Sheets identified in ECF No. 183, with all required attachments, within five (5) business days.

The Court retains jurisdiction over this cause to enter such further Orders as are necessary and appropriate for the conclusion of this action.

DONE AND ORDERED in Ft. Lauderdale, Florida, this ____ day of _____ 2024.

WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
All counsel of record